

REMARKS

I. Introduction

With addition of new claims 15 and 16, claims 8, 10, and 14 to 16 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to the Drawings

The drawings were objected to for failing to show every feature of the invention specified by the claims. In particular, the Office Action cites the feature of “the thickness of the valve sleeve varying across its axial direction and decreasing in a discharge direction of the fuel.” Page 3. As an initial matter, Figure 1 has been amended without prejudice to be identical to the originally filed Figure 1.

Applicant respectfully notes that 35 U.S.C. § 113 requires that “[t]he applicant shall furnish a drawing **where necessary for the understanding of the subject matter** sought to patented” (emphasis added). Claim 8 recites that “a radial cross section of the valve sleeve decreases between an inflow-side region and a discharge-side region on a collar which also separates the inflow-side region having greater material strength from the discharge-side region having lower material strength.” It is respectfully submitted that a drawing is **not necessary** for the understanding of this feature. Accordingly, withdrawal of this objection is respectfully requested.

III. Rejection of Claims 8, 10, 12, and 14 Under 35 U.S.C. § 102(e)

Claims 8, 10, and 14 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2002/0185555 (“Kobayashi et al.”). It is respectfully submitted that Kobayashi et al. do not anticipate the present claims for at least the following reasons.

Claim 8, which relates to a fuel injector, recites that the discharge-side region has a **constant radial cross section and wall thickness** extending from the collar to a discharge-side end of the valve sleeve. As amended herein without prejudice, claim 8 recites that **the discharge-side end of the valve sleeve is disposed axially beyond the valve-closure member**. Support for this amendment may be found, for example, at Figure 1 and page 3 lines 4 to 11.

Kobayashi et al. disclose a tubular metal case 2 which has wall thicknesses and radial cross sections that do not remain constant over the various regions. Referring to Figure 4, for example, region B has a wall thickness -b-, while region A has a wall thickness -a- which then decreases to a wall thickness -t- at annular recess 2D. The wall thickness then increases again at region 2B1. The radial cross sections vary across these regions as well. In this regard, Kobayashi et al. do not disclose, or even suggest, a **valve sleeve having a constant radial cross section and wall thickness extending from the collar to a discharge-side end of the valve sleeve, the discharge-side end of the valve sleeve disposed axially beyond the valve-closure member.**

Since Kobayashi et al. do not disclose, or even suggest, all of the features recited in claim 8, it is respectfully submitted that Kobayashi et al. do not anticipate claim 8.

Claims 10 and 14 ultimately depend from claim 8 and therefore include all of the features recited in claim 8. It is therefore respectfully submitted that Kobayashi et al. do not anticipate these dependent claims for at least the same reasons set forth above in support of the patentability of claim 8.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

IV. New Claims 14 and 15

New claims 14 and 15 have been added. It is respectfully submitted that new claims 14 and 15 add no new matter and are fully supported by the present application, including the Specification.

V. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Date: _____

By:

/Clifford A. Ulrich/ (Reg. No. 42,194) for:

Gerard A. Messina
Reg. No. 35,952

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200
CUSTOMER NO. 26646